

Court rules Apple, local firm can use iPhone in Brazil

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The 3G iPhone from Brazil's Gradiante company is pictured at a store in Eldorado shopping center in Sao Paulo, Brazil, on February 16, 2013.

A court has ruled that Apple can use the trademark iPhone in Brazil, ending the exclusive rights Brazilian firm Gradiante had been given by INPI, the Latin American nation's intellectual property office.

Judge Eduardo de Brito Fernandes ruled that the INPI must end the

exclusive rights to that name that had been formally held by Brazil's IGB Electronica, Gradiente's owner.

Last December, the Brazilian company launched a "Gradiente [iphone](#)" which is actually an Android-run smartphone.

The judge ruled that both companies could legally use the name in Brazil.

But he stressed that Apple's iPhone is "world renowned" and that allowing Gradiente to use the [brand name](#) without restrictions would be unfair to Apple since "all the (Apple) product's renown and client following have been built on its performance and excellence as a product."

Apple in 2007 was denied the trademark in Brazil because Gradiente had requested it in 2000.

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